

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re:

LAS UVAS VALLEY DAIRIES,
a New Mexico General Partnership,

Debtor.

No. 17-12356-t11

**DEBTOR'S RESPONSE TO MOTION BY EAGLE SUPPLY COMPANY FOR
ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSE**

COMES NOW the Debtor and responds to the Motion by Eagle Supply Company, LLC, ("Eagle") for allowance and payment of administrative expense (Doc. #88) as follows:

1. Debtor has reviewed its records, and concurs in the net amount claimed by Eagle as being the value of goods received by Debtor in the twenty days prior to filing of the petition herein.

2. Eagle asserts that the petition herein was filed September 5, 2017, rather than the correct date, which was September 15, 2017, but the goods which are subject of the Eagle motion were received by Debtor within twenty days prior to September 15, 2017.

3. Debtor objects to Eagle's request that the administrative expense it seeks be paid forthwith. There are a number of claims that are entitled to treatment under 11 U.S.C. §503(b)(9), and until all such claims are allowed, or barred, and a plan propounded, there is no reason to require payment of any one or more of such claims. Further, Eagle appears to be requesting that the gross amount of goods be paid forthwith, when, by its own admission, \$7600.00 has been paid. To the extent that Eagle is simply requesting that the \$7600.00 payment be approved, Debtor concurs in the motion.

WHEREFORE, Debtor prays that Eagle be allowed an administrative expense pursuant to

11 U.S.C. §503(b)(9) in the amount \$133,179.73, but that Eagle's request for immediate payment of that amount be denied.

Respectfully submitted by:
Askew & Mazel, LLC
Counsel for Debtor
s/ submitted electronically
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I hereby certify that a true copy of the foregoing
was served through the Court's CM/ECF system
on all parties receiving electronic notice in this case on
November 14, 2017.
s/ submitted electronically
George M. Moore